



BOARD MEETING OF WEST MERCIA PROBATION TRUST

Meeting: West Mercia Probation Trust Board
Date, time: Wednesday 18th November 2009, 10.00am
Venue: Training Centre, Leswell Street, Kidderminster

West Mercia
Probation Trust

MINUTES

Members in attendance:	Keith Austin; Libhin Bromley; Peter Davidson; Martin Foley; Elaine Hickman; Kenneth Hockenhull; James Kelly (Chair); David Chantler (Chief Executive); Leon Murray; Bridget Nisbet and Valerie Reynolds.	
Assistant Chief Officers in attendance:	Alec Rudd Graham Mallinson Julie Masters	Head of Human Resources Head of Business Services Head of Offender Management
Officers :	Secretary to the Trust Board: Treasurer to the Trust Board: Clerk to the Trust Board:	Norman Stott Mike Weaver Lynne Coombes

88	Introductions	<p>The Chair welcomed and introduced Jon Dover, the new Service User Representative, Jon Dover, and Diane Baderin, Equalities Adviser.</p> <p>The Chief Executive advised that Bridget Nisbet and Libhin Bromley had met with Jon Dover to discuss him attending the Board in the role of Service Adviser and replacing Mark Johnson. Bridget and Libhin will support and mentor Jon within that role. Jon is the Policy Director for the Care Farms Network. His Trust Board role will include establishing a group of current users and identifying his successor following a two year period within the role.</p> <p>Jon gave a brief overview of his background and experience whereby he had been afforded various opportunities, realised the value of such opportunities for other people and had become involved in the Care Farming Initiative.</p>
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		The Board endorsed Jon's appointment to the role of Service User Representative to the Trust Board. The Chair said that Jon's unique views would be valuable to the Board.
89	Apologies for Absence (Agenda Item 1)	Andrew Strong (Board Member) and Derek Muhl (Board Member). Helen Allen (Head of Interventions). HH Judge McCreath was not in attendance.
90	Declarations of Interest (Agenda Item 2)	a) Leon Murray declared an involvement in YSS should any items arise during Trust Board business. b) The Chief Executive declared an interest in advance of an item to be discussed in the Closed Session.
91	Confirmation of Minutes (Agenda Item 3)	It was resolved that the Minutes of the Trust Board meeting held on Wednesday 16th September 2009 be agreed as an accurate record with the Chair being authorised to sign as such.
92	Matters Arising from the Minutes (Agenda Item 4)	Paper 4.1 was noted. Bridget Nisbet said that in relation to Minute 83 it had not been agreed that the HR Committee would monitor recommendations in the Bradley Report. The Chief Executive confirmed this would be implemented by a small working group. RESOLVED THAT: i) Paper 4.1 be noted. Action: A small Working Group be established to implement recommendations in the Bradley Report.
93	Notice of Any Items of Other Business (Agenda Item 5)	The Chair gave notice of items of business to be discussed in the Closed Session as follows. i) A performance issue reported to Jack Straw; and ii) An employment issue (see also minute 90 (b) above).
94	Money Matters Report (Agenda Item 6)	Paper 6.1 was noted. i) The Money Matters Report was discussed during the Closed Session.

		<p>ii) The Chief Executive confirmed there would be no further action following the response from Gill Mortlock to Mike Maiden in relation to the Resource Allocation letter.</p> <p>iii) The Treasurer reported on International Financial Reporting Standards (IFRS): Restatement of the Accounts 2008 -09. He said that the MoJ had asked auditors to ensure closing balances from last year had been correctly aligned with the new format of reporting standards. The only issue arising for WMPT is staff carrying forward annual leave and this had led to a restatement of the accounts. The External Auditor had been satisfied WMPT had interpreted the new guidelines correctly and complied with the new standards, resulting in an unqualified audit opinion being issued.</p>
<p>95</p>	<p>Performance (Agenda Item 7)</p>	<p>Papers 7.1, 7.2 and 7.3 were noted.</p> <p>i) Dashboard – The Head of Business Services confirmed that performance was still Green, but that there were on-going concerns. In particular, NS Interventions, Sex Offender Programme Completion Rate and Domestic Violence Completion Rate remain at Red as there continue to be issues around completion measures.. There is also a need to change the complaint measure to one of timeliness. Financial concerns were discussed in the Closed Session. It was also noted that in the context of “People” results, Disciplinaries, Grievances, Complaints in Timescale and Appraisal Completion rates have slipped.</p> <p>ii) IPPF – The Head of Business Services said IPPF was Green*. A validated version of IPPF Quarter 2 would be available in December following the moderation process. The Chair emphasised that this was a creditable performance.</p> <p>iii) PA Paper re IPPF - The Secretary to the Board reported the document was generally self-explanatory but highlighted issues around the IPPF mechanistic process. This redefines the purpose of probation with targets more realistically and partnership focused. The Secretary to the Board said there was no specific date for the response from NOMS to the PA document. Ken Hockenhull questioned whether the PA had received input from WMPT given the document was a collective view. The Chair asked that the Paper be noted and he would keep members informed of any progress.</p> <p>RESOLVED THAT:</p> <p>i) Papers 7.1, 7.2 and 7.3 be noted.</p>
<p>96</p>	<p>Application for</p>	<p>Paper 8.1 was noted.</p>

	Second Wave Trust Status (Agenda item 8)	<p>The Chair extended his thanks to all of those who had been involved in the Bid submission which had required intensive effort. Since the Bid had been submitted, issues had arisen which would be discussed in the Closed Session.</p> <p>i) Bridget Nisbet asked members to note the contents of her report and acknowledged the hard work that had gone into the Bid. The Chair and Chief Executive thanked Bridget for her involvement in Bid process.</p> <p>Libhin Bromley asked if there would be any material recognition for those involved in the submission prior to, and irrespective of, the outcome of the Bid being known. The Chief Executive said whilst this had been agreed in principle following the original bid it was not, at that time, considered to be appropriate. He agreed this would now be appropriate given the quality of the evidence of the Bid and the outstanding commitment, and would revisit these issues again. The Chair asked the Chief Executive to draft a scheme and make recommendations to him for early implementation.</p> <p>ii) The Chief asked if it would be appropriate to set up a mechanism to answer any questions arising following the result of the outcome being known.</p> <p>iii) Members agreed the need for establishing a committee to deal with regional outcomes of Trust Applications.</p> <p>RESOLVED THAT:</p> <p>i) Paper 8.1 be noted.</p> <p>Action:</p> <p>i) The Chief Executive to draft a scheme in relation to material recognition of the staff involved with the Trust Bid and make recommendations to the Chair for approval.</p> <p>ii) That an urgency committee be established to deal with regional outcomes of Trust Applications.</p>
97	Local Government Association Film	Members viewed the LGA film, which was agreed to be of excellent value for PR and communications with partners and others and agreed that this was a good example of working in partnership.
98	Policies (Agenda Item 9)	Paper 9.1 was noted.

		<p>RESOLVED THAT:</p> <p>i) Communications Strategy</p> <p>The Board endorsed the Communications Strategy</p> <p>ii) The Whistle Blowing (Public Disclosure) Policy will be an item at the Audit & Scrutiny Committee meeting in December.</p>
99	<p>Safeguarding Adults (Agenda item 10)</p>	<p>Paper 10.1 was noted.</p> <p>The Secretary to the Board gave an overview of the impact of the new Safeguarding Authority which highlighted the nature and scope of some of the issues facing Trusts. Members endorsed the recommendation that this be referred to the HR Committee for further assessment.</p> <p>RESOLVED THAT:</p> <p>i) Paper 10.1 be noted.</p> <p>Action:</p> <p>i) The Safeguarding Authority report be considered at the next meeting of the HR Committee.</p> <p><i>Leon Murray left the meeting following this item.</i></p>
100	<p>OMI Action Plan (Agenda item 11)</p>	<p><i>Julie Masters joined the meeting at this item.</i></p> <p>Paper 11.1 was noted.</p> <p>The Head of Offender Management said that following a previous request, an update of the all elements of the Action Plan had been carried out. The Action Plan, following agreement by Board Members, would now be forwarded to the Inspectorate. Members endorsed the OMI Action Plan.</p> <p>RESOLVED THAT:</p> <p>i) Paper 11.1 be noted.</p>
101	<p>Serious Further Offences (Agenda item 12)</p>	<p>Papers 12.1 and 12.2 were noted.</p> <p>i) The Head of Offender Management said that while SFOs were down to 18 from 22, it was difficult to do year on year comparisons given continually changing criteria. The figures for WMPT were, however, generally comparable to Staffordshire which was an area</p>

		<p>of broadly similar size.</p> <p>The Chair raised concerns about the Board having proper oversight of staff caseloads and workload management. He will liaise with the Chief Executive and the Head of Offender Management and discuss concerns.</p> <p>ii) The Head of Offender Management said the introduction to the MAPPA reports had been written by the Police. It had been agreed to adopt a fairly minimalist approach to the report. WMPT will receive feedback from NOMS following publication of the report.</p> <p>iii) The Head of Offender Management said WMPT had received a letter of thanks following the airing of the Panorama programme on 26th October 2009. and an indication that the BBC may want to make a future programme concentrating specifically on WMPT.</p> <p>RESOLVED THAT:-</p> <p>i) Papers 12.1 and 12.2 noted.</p> <p>Action:</p> <p>i) The Chair to discuss staff workload and workload management with the Chief Executive and the Head of Offender Management.</p>
102	Diversity (Agenda Item 13)	<p>Papers 13.1 and 13.2 were noted.</p> <p>Diane Baderin gave a presentation on 'Achieving Quantifiable Results in Equality and Diversity and WMPT' which focused on background, key statistics, emerging themes and recommendations. <i>(A copy of the presentation is filed with the Trust Board papers)</i></p> <p>Bridget Nisbet said the presentation was useful and highlighted there was a lot more work to do on the Trust's Single Equality Scheme Action Plan. She suggested that the Diversity group is included within the HR Committee's scope to take responsibility for the Action Plan and move the process forward, and that the group is chaired by a Board Member rather than the Chief Executive. Diane Baderin said that the report had been produced for the HR Committee to enable compliance.</p> <p>The Chief Executive gave some historical context to the Diversity Group. External consultancy support had originally been sought from Worcester Race Equality Council, but that issues had emerged around the contract arrangements. Following the Diversity Manager's redundancy there had been a gap in delivery which had</p>

		<p>led to the need for assessment of the organisation. Diane Baderin had been contracted to ‘stock take’ and that was currently the limit of the contractual arrangement with her. The Board now had to consider how to go forward and mainstream the group. The Chair thanked Diane for the presentation. He asked members to note the presentation and endorse the direction going forward. He asked the Chief Executive to provide an update for a future meeting.</p> <p>RESOLVED THAT:</p> <p>i) Papers 13.1 and 13.2 be noted.</p> <p>Action:</p> <p>i) The Chief Executive to update a future meeting of the Board on the progress of the Diversity Group.</p>
<p>103</p>	<p>Staff Conference (Agenda Item 14)</p>	<p>It was noted there was reduced attendance at this year’s conference. The Chief Executive said that given the nature of the Conference it was inevitable that the ‘happiness’ levels recorded on feedback sheets would be reduced. Bridget Nisbet said that suggestions had been received from JNCC members on how to ‘balance’ future meetings.</p>
<p>104</p>	<p>Committees of the Trust Board (Agenda item 15)</p>	<p>i) Human Resources Committee</p> <p>a) Committee Chair’s Report – Paper 15.1 was noted.</p> <p>b) The draft Minutes of the meeting held on 5th November 2009 (Paper 15.2) were withdrawn pending amendments to be made by the Chair of the Committee.</p> <p>Bridget Nisbet said that the Consortium was proposing to carry out a feasibility study on income generation to subsidise core funding. The study would be paid for by the Consortium. Endorsement for this approach from the Board was sought and received.</p> <p>Bridget Nisbet had received feedback from a qualifications survey conducted by the Consortium for all of its constituent Boards. The WMPT return rate was the lowest in the region. The outcomes of the survey would be used for planning future consortium services and to justify funding from the LSC.</p> <p>ii) JNCC Board</p> <p>a) The draft Minutes of the meeting held on 5th November were withdrawn pending amendments to be made by the Chair of the Committee</p>

		<p>iii) Health & Safety Committee</p> <p>a) The draft Minutes of the meeting held on 3rd November 2008 were withdrawn as they had already been reviewed within the HR Committee.</p> <p>RESOLVED THAT:</p> <p>i) Paper 15.1 be noted.</p>
105	Risk Register (Agenda Item 16)	<p>i) The Trust Board noted the paper in relation to current risks (Paper 16.1).</p> <p>ii) It was agreed that the Head of Business Services would amend the Risk Register as follows</p> <ul style="list-style-type: none">• A risk to be added to the register relating to a potential employment tribunal hearing.• Management to identify the potential impact to the organisation from the current position of the Single Equality Scheme and decide whether a risk should be added to the register.• Management to consider whether a risk should be added to the Register relating to the on-going performance review. <p>RESOLVED THAT:</p> <p>i) Paper 16.1 be noted.</p>
106	Any Other Business (Agenda Item 17)	<p>There was no other business.</p>
107	Date of Next Meeting (Agenda Item 18)	<p>Wednesday 20th January 2010, Training Centre, Leswell Street, Kidderminster.</p>
108	Meeting Ended	<p>The meeting ended at 1:45pm.</p>

Signed:

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Dated:

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Chair